

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

BRENDA MONTANEZ,

Plaintiff,

-against-

TARGET CORPORATION,

Defendant.

Docket No.:

**NOTICE OF REMOVAL**

**TO THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

Defendant, Target Corporation (hereinafter "Target"), for the removal of this action from the Supreme Court of the State of New York, County of Bronx, to the United States District Court for the Southern District of New York, respectfully shows this Honorable Court:

**FIRST:** Target is the defendant in a civil action brought against it in the Supreme Court of the State of New York, County of Bronx; entitled:

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX**

BRENDA MONTANEZ,

Plaintiff,

-against-

TARGET CORPORATION,

Defendant.

Index No.: 30257/2018E

**SECOND:** A copy of the Summons and Verified Complaint in this action is annexed hereto as Exhibit "A." A copy of Target's Answer is annexed hereto as Exhibit "B." These exhibits constitute all pleadings and orders served upon any party in this action.

**THIRD:** Plaintiff has served Target with a Verified Bill of Particulars and Response to Combined Discovery Demands, which includes a Response to Target's Demand Pursuant to CPLR § 3017(c). Copies of Plaintiff's Verified Bill of Particulars and Response to Combined Demands are annexed hereto as Exhibits "C" and "D," respectively. Target received Plaintiff's Verified Bill of Particulars and Response to Combined Demands on March 5, 2019, and less than thirty (30) days have passed since receipt.

**FOURTH:** Plaintiff has alleged that due to Target's negligence, she has suffered various personal injuries including, but not limited to, the following: left knee meniscal tear, left knee synovitis, left hip labrum tear, L4-L5 and L5-S1 disc bulges indenting the ventral thecal sac with lateral extension causing proximal bilateral neural foraminal stenosis, and L3-L4 subligamentous disc bulge causing proximal bilateral neural foraminal stenosis. Exhibit C at ¶ 9. Further, Plaintiff demands judgment against Target in the sum of \$10,000,000.00. Exhibit D. Accordingly, it is clear that the amount of controversy in this matter exceeds \$75,000 exclusive of interests and costs.

**FIFTH:** This action is one over which this Court has original jurisdiction under the provisions of Title 28, United States Code, Section 1332, and is one which may be removed to this Court by Defendant, Target, pursuant to the provisions of Title 28 United States Code, Section 1441, in that, it is a civil action brought in a Supreme Court against a foreign corporation whose principal place of business is outside of the State of New York, by a citizen of the State of New York, with the amount in controversy exceeding the sum or value of \$75,000.00, exclusive of interest and costs.

**WHEREFORE**, the defendant, Target, prays that the above action now pending against it in the Supreme Court of the State of New York, County of Bronx, be removed from there to this Court.

Dated: New York, New York  
March 7, 2019

**CONNELL FOLEY LLP**

By:   
**MICHAEL J. CROWLEY**  
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